

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:14-cv-246**

CAPITAL BANK, N.A.,

Plaintiff

v.

CONTROL POINT VENTURES, LLC and
AARON DANIEL ZINN,

Defendants.

JUDGMENT

THIS MATTER is before the Court on Plaintiff's Motion for Default Judgment (Doc. No. 9). Defendants, Control Point Ventures, LLC and Aaron Daniel Zinn, having failed to plead or otherwise defend in this action and said Defendants' default having been entered (Doc. No. 10);

NOW, upon application to Plaintiff and upon Affidavit, Defendants are indebted to Plaintiff in the following amounts:

1. That the amount due Plaintiff from Defendants, Control Point Ventures, LLC and Aaron Daniel Zinn, jointly and severally, on its First Claim for Relief, is the sum of Ninety-Four Thousand Three Hundred Twenty and 80/100 Dollars (\$94,320.80), plus interest at the rate of Fourteen and 54/100 Dollars (\$14.54) per day from and after April 29, 2014, until date of entry of judgment and thereafter at the legal rate until paid in full together with attorneys' fees in the amount of 15% of the outstanding indebtedness at the time of the institution of this action;

1. That the amount due Plaintiff from Defendants, Control Point Ventures, LLC and Aaron Daniel Zinn, jointly and severally, on its Second Claim for Relief, is the sum of Twenty-Seven Thousand Two Hundred Seventy-Nine and 72/100 Dollars (\$27,279.72) plus

interest at the rate of Six and 86/100 Dollars (\$6.86) per day from and after April 29, 2014, until date of entry of judgment and thereafter at the legal rate until paid in full together with attorneys' fees in the amount of 15% of the outstanding indebtedness at the time of the institution of this action;

2. That Defendants, Control Point Ventures, LLC and Aaron Daniel Zinn, have defaulted for failure to plead and that Defendants are not infants or incompetent persons, and are not in the military service of the United States.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff recover as follows:

1. That Plaintiff have and recover of Defendants, Control Point Ventures, LLC and Aaron Daniel Zinn, jointly and severally, on its First Claim for Relief, the sum of Ninety-Four Thousand Three Hundred Twenty and 80/100 Dollars (\$94,320.80), plus interest at the rate of Fourteen and 54/100 Dollars (\$14.54) per day from and after April 29, 2014 until date of entry of judgment and thereafter at the legal rate until paid in full, plus reasonable attorneys' fees in the amount of Fourteen Thousand One Hundred Seventy-Eight and 65/100 Dollars (\$14,178.65), which is Fifteen Percent (15%) of the outstanding indebtedness due and owing at the time suit was instituted on May 13, 2014 (being the amount of \$94,524.36);

2. That Plaintiff have and recover of Defendants, Control Point Ventures, LLC and Aaron Daniel Zinn, jointly and severally, on its Second Claim for Relief, the sum of Twenty-Seven Thousand Two Hundred Seventy-Nine and 72/100 Dollars (\$27,279.72) plus interest at the rate of Six and 86/100 Dollars (\$6.86) per day from and after April 29, 2014 until date of entry of judgment and thereafter at the legal rate until paid in full, plus reasonable attorneys' fees in the amount of Four Thousand One Hundred Six and 36/100 Dollars

(\$4,106.36), which is Fifteen Percent (15%) of the outstanding indebtedness due and owing at the time suit was instituted on May 13, 2014 (being the amount of \$27,375.76);

3. That Plaintiff have and recover of Defendants the costs of this action.

SO ORDERED.

Signed: July 1, 2014

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

